

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**COURTLAND LINDSAY**

**v.**

**MICHAEL KEITH DOLLAHITE**

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**CIVIL ACTION NO. 6:14cv667**

**ORDER ADOPTING REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation (docket no. 5) recommends that Plaintiff's motion to proceed *in forma pauperis* be denied, that the complaint be dismissed with prejudice for lack of subject matter jurisdiction and for failure to state a claim upon which relief may be granted pursuant to FED. R. CIV. P. 12(b)(1) and (6), and that Plaintiff be sanctioned in the amount of \$100.00, such that the Clerk shall not accept any new filings from Courtland Lindsay until the sanction has been paid in full. Plaintiff did not file written objections to the Report and Recommendation. Instead, he filed a Jury Demand (docket no. 7), a Motion for Injunctive Relief (docket no. 8), an Amended Complaint (docket no. 9), a Motion to Notify (docket no. 10), and a Motion for Reconsideration of Non-Dispositive Motions (docket no. 11). The Court considers these pleadings together as Plaintiff's written objections.

Having made a *de novo* review of the written objections filed by Plaintiff, the Court concludes that the findings and conclusions of the Magistrate Judge are correct and the

objections are without merit. Plaintiff's vexatious litigation practices, fully outlined in the Report and Recommendation, cannot be condoned. Plaintiff's written objections do not contradict the findings in the Report and Recommendation. At best, Plaintiff asserts a state law defamation claim against a private attorney in his Amended Complaint. Plaintiff does not explain why he is filing this state law claim in federal court, as opposed to state court. He provides no basis for federal court jurisdiction and does not state a federal claim. Federal courts are courts of limited jurisdiction.

In light of the foregoing, it is

**ORDERED** that the Motion to Proceed *In Forma Pauperis* is **DENIED** and the Complaint is **DISMISSED** with prejudice for lack of subject matter jurisdiction and for failure to state a claim upon which relief may be granted pursuant to FED. R. CIV. P. 12(b)(1) and (6). Plaintiff is **SANCTIONED** in the amount of \$100.00. The sanction is independent of any sanction imposed in any other case. The Clerk is directed not to accept any new filings from Courtland Lindsay until any and all monetary sanctions have been paid in full.

Any motion not previously ruled on is **DENIED**.

**So ORDERED and SIGNED this 24th day of September, 2014.**

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS  
UNITED STATES DISTRICT JUDGE